

REMARKS

Claim 1 was pending in the application and was rejected. Claim 1 has been canceled, and replaced with new claim 30. No new matter has been introduced. Support for the new claim can be found in Applicant's specification as published in United States Patent Publication No. 2006/0126532, specifically at paragraphs [0013], [0014], [0023], [0029], [0031], [0056], [0057], [0062], [0070], and [0077]. Applicant respectfully requests reconsideration.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claim 1 under 35 USC 103(a), as being unpatentable over Willars et al. in view of Carlsson and Engelhart and Miernik et al.

Claim 1 was canceled and replaced with new claim 30. Claim 30 is not unpatentable over the cited references for the following reasons. The primary reference, Willars, deals with handover *within* a network, not a handover that crosses over to *another* network, as in the instant application. Willars deals with handover from one base station to another within a same type of network. This is a "horizontal" handover, as explained in paragraph [0057] of the instant application. See Willars at Col. 5, line 23 "In a radio access network comprising a serving radio network control node..." and FIG. 2a. In Willars, the handover remains within the radio access network. Claim 30 deals with a "vertical" handover as explained in paragraph [0014]. A vertical handover is a handover wherein a device switches communication from one type of network to another type. Willars does not teach or suggest selecting a network target for handover wherein the target network is a different type of network from the network currently

serving the device. This is the primary difference between the instant application and the cited references.

Additionally, the cited references do not teach or suggest the following claim elements of claim 30: receiving an identification of the wireless communication device, wherein the identification comprises a location of the mobile wireless communication device and a customer profile, wherein said customer profile comprises a customer's preferences regarding cost and bandwidth, and access capability to the types of communication networks; and identifying availability of the different communication networks for the mobile wireless communication device, wherein availability is determined by referencing a look-up table indicating the communication networks covering the device's location.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claim. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0510.

Respectfully submitted,

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